

1 James R. Condo (#005867)
2 Amanda Sheridan (#005867)
3 SNELL & WILMER L.L.P.
4 One Arizona Center
5 400 E. Van Buren
Phoenix, AZ 85004-2204
Telephone: (602) 382-6000
JCondo@swlaw.com
ASheridan@swlaw.com

6 Richard B. North, Jr. (admitted *pro hac vice*)
7 Georgia Bar No. 545599
8 Matthew B. Lerner (admitted *pro hac vice*)
9 Georgia Bar No. 446986
NELSON MULLINS RILEY & SCARBOROUGH, LLP
10 Atlantic Station
11 201 17th Street, NW, Suite 1700
Atlanta, GA 30363
Telephone: (404) 322-6000
Richard.North@nelsonmullins.com
Matthew.Lerner@nelsonmullins.com

12 *Attorneys for Defendants*
13 *C. R. Bard, Inc. and*
Bard Peripheral Vascular, Inc.

14
15 **IN THE UNITED STATES DISTRICT COURT**
16 **FOR THE DISTRICT OF ARIZONA**

17 IN RE: Bard IVC Filters Products Liability MDL NO. 15-02641-PHX-DGC
18 Litigation

19 This Document Relates to:

20 VICKI WETZEL,

Case No. CV-15-01667-PHX-DGC

21 Plaintiff,

22 v.

23 C. R. BARD, INC., a New Jersey
24 Corporation; AND BARD PERIPHERAL
25 VASCULAR INC., an Arizona
Corporation,

26 Defendants.

**DEFENDANTS' MEMORANDUM OF
POINTS AND AUTHORITIES IN
SUPPORT OF DEFENDANTS'
MOTION TO WITHDRAW
DEFENDANTS' MOTION TO
DISMISS PLAINTIFF'S COMPLAINT
FOR FAILURE TO COMPLY WITH
CASE MANAGEMENT ORDER NO. 5**

Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. ("Bard") respectfully move this Court to withdraw Defendants' Motion to Dismiss Plaintiff's Complaint for Failure to Comply with Case Management Order No. 5 [Doc. 1438] (the "Motion").

On April 11, 2016, Bard filed its Motion due to Plaintiff's failure to serve a Plaintiff Profile Form ("PPF") pursuant to the terms of Case Management Order No. 5. On April 12, 2016, Plaintiff's counsel served Bard with her overdue PPF, explained that it had been inadvertently omitted from a previous email, and requested that Bard withdraw its Motion. Bard agreed to overlook the tardiness in this instance and, thus, seeks an Order from the Court withdrawing the Motion.

This 15th day of April, 2016.

s/Richard B. North, Jr.
Richard B. North, Jr.
Georgia Bar No. 545599
Matthew B. Lerner
Georgia Bar No. 446986
NELSON MULLINS RILEY & SCARBOROUGH, LLP
Atlantic Station
201 17th Street, NW / Suite 1700
Atlanta, GA 30363
PH: (404) 322-6000
FX: (404) 322-6050
Richard.North@nelsonmullins.com

James R. Condo (#005867)
Amanda Sheridan (#005867)
SNELL & WILMER L.L.P.
One Arizona Center
400 E. Van Buren
Phoenix, AZ 85004-2204
PH: (602) 382-6000
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ASheridan@swlaw.com

**Attorney for Defendants C. R. Bard, Inc. and
Bard Peripheral Vascular, Inc.**

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 15, 2016, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send notification of such filing to all counsel of record.

s/Richard B. North, Jr.
Richard B. North, Jr.
Georgia Bar No. 545599
NELSON MULLINS RILEY & SCARBOROUGH, LLP
Atlantic Station
201 17th Street, NW / Suite 1700
Atlanta, GA 30363
PH: (404) 322-6000
FX: (404) 322-6050
Richard.North@nelsonmullins.com

201 17th Street NW, Suite 1700
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L.L.P.